

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

)	
In re)	
)	Chapter 7
1 ST NEW ENGLAND MORTGAGE)	
CORPORATION,)	Case No. 14-15829-JNF
)	
Debtor.)	
)	
STEWART F. GROSSMAN,)	
CHAPTER 7 TRUSTEE,)	
)	
Plaintiff,)	
)	Adversary Proceeding
v.)	No. 16-01129
)	
DAVID W. BLACK,)	
)	
Defendant.)	
)	

**CERTIFICATION OF CONFERENCE AND WRITTEN
REPORT OUTLINING PROPOSED DISCOVERY PLAN**

Pursuant to Fed. R. Civ. P. 26(f), as made applicable herein by Fed. R. Bankr. P. 7026, plaintiff Stewart F. Grossman, Chapter 7 Trustee and defendant David W. Black hereby file this certification and written report outlining a proposed discovery plan. This discovery plan constitutes a change from that set forth in the Court's Scheduling Order dated September 21, 2016.

A. Certification

The undersigned hereby certify that on October 18, 2016 they conferred by telephone, pursuant to Fed. R. Civ. P. 26(f) as made applicable by Fed. R. Bankr. P. 7026, to consider the nature and basis of their claims and defenses and the possibilities for a prompt settlement or resolution of the adversary proceeding; to arrange for the disclosures required pursuant to Fed. R.

Civ. P. 26(a)(1); to discuss the preservation of discoverable information; and to develop a proposed discovery plan.

B. Proposed Discovery Plan

The parties propose the following discovery plan:

1. Automatic required disclosures will be made on or before November 3, 2016.
2. All fact discovery will be completed on or before February 10, 2017.
3. Expert disclosures and reports by the party with the burden of proof will be served on or before March 3, 2017.
4. Responsive expert disclosures and reports will be served on or before April 7, 2017.
5. Dispositive motions will be filed with the Court on or before May 5, 2017.
6. The parties will file a Joint Pretrial Memorandum on or before June 9, 2017.

The parties currently do not believe any changes are necessary to the manner of and limitations on discovery provided by the rules of this Court.

C. Automatic Disclosures

The parties state that they will have complied with the automatic disclosure provisions of Fed. R. Civ. P. 26(a)(1) by November 3, 2016.

Respectfully submitted,

STEWART F. GROSSMAN,
CHAPTER 7 TRUSTEE,

By his attorneys,

/s/ Justin A. Kesselman

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Dated: October 26, 2016

DAVID W. BLACK,

By his attorneys,

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Dated: October 26, 2016

CERTIFICATE OF SERVICE

I, Justin A. Kesselman, hereby certify my understanding that on October 26, 2016, a true copy of **Certification of Conference and Written Report Outlining Proposed Discovery Plan** was sent by the Court by email to the following:

- Ryan M. MacDonald rmacdonald@murthalaw.com
- Adam J. Ruttenberg aruttenberg@pbl.com
- John L. Whitlock john.whitlock@lockelord.com

/s/ Justin A. Kesselman
Justin A. Kesselman